

Notice of Allowability

Application No.

10/035,486

Examiner

C. SAYALA

Applicant(s)

SEXTON ET AL.

Art Unit

1761



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 3/22/04.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 3/30/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



CHHAYA SAYALA
PRIMARY EXAMINER

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms Andrea Sellers on 3/30/04.

The application has been amended as follows:

In the claims:

In claim 1, line 5, deleted "adjuvant does not contain a powdered".

In claim 1, line 5, inserted - - is liquid- - after "agent".

In claim 1, line 6, inserted - - combination- - before "adjuvant".

In claim 11, last line, deleted "adjuvant does not contain a powdered".

In claim 11, last line, inserted - - is liquid and said combination adjuvant is dry and free flowing- - after "agent".

In claim 12, line 5, deleted ",and"

In claim 12, deleted "wherein said method excludes the step of adding a powdered drift reducing agent".

In the specification:

The abstract was replaced by the following abstract, informally by the examiner, to conform to the requirements that the abstract be in a SINGLE paragraph:

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- - ABSTRACT OF THE DISCLOSURE

The present invention is directed to a combination adjuvant comprising an ammonium sulfate fertilizer impregnated with a drift reducing agent.

The drift reducing agent is preferably polyacrylamide. Anti-caking and drying agents are preferably added to the combination adjuvant to provide ease of use and prevent caking and agglomeration of the adjuvant. The combination adjuvant is formed by mixing a liquid drift reducing agent with dry ammonium sulfate granules. Any additional agents are added and mixed with the drift reducing agent and ammonium sulfate. Because each granule comprises approximately the same amount of drift reducing agent, the composition of the combination adjuvant is uniform, even after storage and transport.- -

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The amended claims are distinguished from prior art of record because none of the references of record, either singly or in combination, teach or fairly suggest, impregnating liquid drift reducing agent within the outer portion of the *granule* of the fertilizer to obtain a dry and free-flowing adjuvant.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. SAYALA whose telephone number is 571-272-1405.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


C. SAYALA
Primary Examiner
Group 1700.